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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,545	03/19/2004	David B. Andersen	HES 2001-IP-003406U1	7476

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JOHN W. WUSTENBERG
P.O. BOX 1431
DUNCAN, OK 73536

EXAMINER

NEWVILLE, TONI E

ART UNIT PAPER NUMBER

3671

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/804,545	Applicant(s) ANDERSEN ET AL.	
	Examiner Toni Newville	Art Unit 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) 9-50 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/12/05, 3/19/04</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species:

- Fig. 2, a pipe comprising coiled tubing inserted therein.
- Fig. 3, a pipe comprising coiled tubing inserted therein, and a packer to prevent fluid flow in an annular area.
- Fig. 4, a pipe comprising coiled tubing inserted therein, a packer to prevent fluid flow in an annular area, and a pump at one end of the coiled tubing.
- Fig. 5, a pipe comprising coiled tubing inserted therein, a packer to prevent fluid flow in an annular area, and a second coiled tubing inserted inside the first coiled tubing.
- Fig. 5, a pipe comprising coiled tubing inserted therein, a packer to prevent fluid flow in an annular area, and a second coiled tubing inserted inside the first coiled tubing.
- Fig. 6, a pipe comprising coiled tubing inserted therein and pigging devices to prevent fluid flow in an annular area.

The species are independent or distinct because of the structural differences noted in the species listing above.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

During a telephone conversation with John Wustenberg on 3/1/2006 a provisional election was made without traverse to prosecute the invention of the species of Fig. 2, claims 1-8. Affirmation of this election must be made by applicant in replying to this Office action. Claims 9-50 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected species.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

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or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Specification

2. The disclosure is objected to because of the following informalities: the description of the relationship between hydrate formation temperature and the static pressure head described in paragraphs 2 and 3 is inconsistent with the description of the relationship between hydrate formation temperature and the static pressure head described in paragraph 16 and claim 7. The applicant should check paragraph 16 and claim 7 for accuracy.

Appropriate correction is required.

Claim Objections

3. Claim 6 is objected to because of the following informalities: the limitation "production fluid" in line 3 should be changed to "fluid". Appropriate correction is required.

4. Claim 7 is objected to because of the following informalities: it appears that claim 7 confuses the issue of hydrate formation temperature with regard to pressure in the same way as described above in the specification. It appears that line 2 should read

"lowers the threshold temperature" in place of "lowers the temperature", and will be treated as such in this office action. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Johal, US 6253855.

Regarding claim 1, Johal discloses a method for reducing fluid pressure in a pipe connecting a well to a remote location, the fluid normally flowing from the well, through the pipe, and to the remote location (21), the method comprising:

- Terminating the flow of the fluid through the pipe;
- Inserting a section of tubing (12) into the pipe to define a space (20) between the tubing and the pipe; and
- Introducing a pressurized gas into the space so that the gas passes through the space and displaced fluid from the space and through the tubing, to reduce the fluid pressure in the pipe (column 3 lines 13-22).

Regarding claim 2, the well is formed at a subsea location, wherein the fluid may be production fluid, and wherein the remote location is a production facility (21) on the surface of the sea (Fig. 1).

Regarding claim 3, the gas is passed from the remote location (21), through the space (20) in a direction towards the well, and wherein the displaced fluid passes through the tubing towards the remote location (column 3 lines 19-22).

Regarding claim 4, the fluid in the tubing (12) is also displaced (column 3 lines 19-22).

Regarding claim 5, the displaced fluid from the space and the tubing are displaced to the remote location (Fig. 1).

Regarding claim 6, the method further comprises terminating the step of introducing, and then reducing the pressure in the space and tubing so that any remaining fluid in the pipe may expand and flow to the remote location (column 3 lines 13-22).

Regarding claim 7, the reduction of pressure in the pipe would be capable of lowering the threshold temperature of the fluid to a value that would cause hydrates in the pipe to melt.

Regarding claim 8, the tubing (12) may be removed from the pipe between flange (25) and facility (21) and flow of the fluid started from the well towards the remote location (21).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

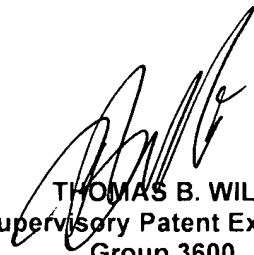
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toni Newville whose telephone number is (571) 272 - 1548. The examiner can normally be reached on Monday - Friday 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on (571) 272-6998. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Toni Newville
March 3, 2006



THOMAS B. WILL
Supervisory Patent Examiner
Group 3600